

LINCOLN PLANNING BOARD

JUNE 22, 2005

MINUTES

The regular meeting of the Planning Board was held on Wednesday, June 22, 2005, at the Town Hall, 100 Old River Road, Lincoln, RI.

Chairman Mancini called the meeting to order at 7:05 p.m. The following members were present: Diane Hopkins, John Hunt, David Lund, John Mancini, Gregory Mercurio, Gerald Olean and Michael Reilly. Also in attendance were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand, and Assistant Town Solicitor Roger Ross. Margaret Weigner kept the minutes.

Chairman Mancini advised seven members present; have quorum.

SECRETARY'S REPORT

Mr. Olean made a motion to move Secretary's Report to after #8 – Correspondence/Miscellaneous. Mr. Lund seconded motion. Motion passed unanimously.

CONSENT AGENDA

Chairman Mancini stated that any item on the consent agenda could be removed and discussed separately by making a motion. There are six items on the agenda for consideration. Chairman Mancini asked Mr. Ranaldi what “least relief required” meant, and Mr. Ranaldi explained that an applicant has to prove a hardship to build into a setback. For example, one applicant needs to add a bedroom for their small children, but the applicant also wants to add on a master bedroom suite and an office. That is not the least relief required. They may “need” an extra bedroom but not a master bedroom suite and office.

Mr. Olean made a motion to accept the Consent Agenda as recommended by the Technical Review Committee (TRC). Mr. Mercurio seconded motion. Motion passed unanimously.

Since there was time before the public informational meeting, Chairman Mancini discussed the TRC meeting and the need to have a Planning Board member present at the monthly TRC meetings. Mr. Lund has served on the TRC since November 2004. Mr. Mercurio served on the TRC for three months and was rotated off. He has volunteered to serve on the TRC again. Chairman Mancini stated that Mr. Mercurio would serve on the TRC starting in July 2005 for six months.

MAJOR SUBDIVISION REVIEW

a. Rivers Subdivision AP 23 Lots 30 & 119 Public Informational Meeting

Estate of Anna M. Rivers Old River & Lower River Road 7:15 p.m.

Chairman Mancini explained the process for the public informational meeting. The Town Planner will give a brief rundown on the project, and then the developer will give a presentation. The Planning Board members will be allowed to ask questions, and the public will also have a chance to ask questions. The list of abutters was read - only one abutter was present – Mr. Scott Ericson of 701 Lower River Road.

Mr. Ranaldi stated that this application is under the 2001 Subdivision Regulations and is the subdivision of one lot into six conventional single-family lots. One lot will contain the existing home. The lot contains approximately 4.38 acres and is located in an RS-12 zone (12,000 sq. ft - Residential Single Family). Public water and sewer is available. The Planning Board has until August 18, 2005 to approve, approve with conditions, or deny. The TRC reviewed the plans and noted that one lot is odd shaped; the house on this lot has to be brought forward. A Physical Alteration Permit (PAP) is needed from the RI Department of Transportation for driveways on Old River Road.

Drainage is a concern on Lower River Road. A swale in front of houses on Lower River Road will direct water flow. Wetlands approval is needed from RI Department of Environmental

Management (RIDEM). Chairman Mancini asked why the TRC did not make a recommendation for approval/denial and Mr. Ranaldi replied that he knows the Planning Board likes to hear from the public before making a decision. As the Town Planner, he would recommend approval for the development.

Brian Thalmann, of Thalmann Engineering, stated that there is one correction to what Mr. Ranaldi stated. This is a subdivision of two lots, not one (Lots #30 and #119) into six lots. Test pits have been completed and drainage was looked at. The topography slopes from northwest to southeast. Two properties on Lower River Road (Homeowner Lally and Homeowner Ward) are inundated with water. Water cascades across the road. A diversion swale on the easterly side was discussed. The applicant would like to pave the Lally's property on Lower River Road and will discuss it with the Lallys. There are a number of mature maple trees on the property. Some lot lines may be tweaked to save the trees. Chairman Mancini asked if the applicant would build or sell the lots. Mr. Thalmann responded that there would be a covenant in deeds to save the trees. Test pits indicate favorable soil in Lots 1 and 2. Focus will be on diverting the drainage along the properties into the wetlands.

Mr. Reilly asked if the developer talked to the Lallys yet and Mr. Thalmann replied that he would like to involve the Town Engineer and Public Works Director in the discussion. The developer does not want to infringe on the Lallys development rights of their property.

Chairman Mancini asked Ms. Wiegand for her comments on the proposed subdivision. Ms. Wiegand stated that there is an existing water problem on Lower River Road that the Town would like the developer to solve. There is no drainage on Lower River Road until the end of road at Old River Road. The Town wants to alleviate any further drainage problems. Chairman Mancini stated that the Town/Planning Board cannot require the developer to correct existing problems, but in this case, can ask the developer to fix an existing problem.

Mr. Mercurio asked about the restriction to the placement of the home on Lot #1 to the front part of the lot and Ms. Wiegand stated that it is tough for service connections if the house is too far back.

Mr. Reilly asked about the sight distance on the report and stated that no driveways were shown on the plans. Mr. Thalmann stated that there are three existing curb cuts on Old River Road. The driveway for Lot #1 will be near existing curb cut and the driveway for Lot #6 will be near Pole #107-1X. Ms. Wiegand stated that there has been a traffic report done on lots. Paul Bannon, of RAB Engineering, stated that the driveway locations do not have to be identified but conceded that the end lot will be the critical lot and the placement of the driveway may be a condition of approval.

Abutter Scott Ericson of 701 Lower River Road asked if there would

be access from Lower River Road to Old River Road. Mr. Thalmann stated that there would be no access from Lower River Road to Old River Road. Mr. Ericson asked what makes this a major subdivision and Chairman Mancini replied that it was the number of lots – one less lot would have made it a minor subdivision.

Mr. Olean made a motion to close public hearing at 7:35 p.m. Mr. Mercurio seconded motion. Motion passed unanimously.

Mr. Olean made a motion to continue matter to next month for consideration of approval. Mr. Lund seconded motion. Motion passed unanimously. Mr. Olean stated that a decision must be made by August 18, 2005; therefore a decision must be made in July. Mr. Thalmann stated that he would schedule a meeting with the Lallys, Ms. Wiegand, and the Public Works Director. Mr. Olean stated that the Board does not like to see a developer win approval by default.

**b. Meadow View Subdivision AP 29 Lot 3 Master Plan Discussion/
Meridian Real Estate Services Great Road Approval**

Mr. Ranaldi stated that this application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into 15 conventional single-family lots. The lot contains approximately 13 acres of land and is located in a RS-20 zone (20,000 sq. ft –

Residential Single Family). Public water and sewers will service the homes. The Board has until August 11, 2005 to approve, approve with conditions or deny. The Board is under the gun on this application. The proposed design has gained consensus- one form of egress onto Great Road with no driveways onto Great Road – and a buffer frontage. The development will contain two cul de sacs – one on the left and one straight ahead. It may not be the best design but it is a good compromise. The Town can work with the developers to meet the town's needs. There are a number of lots with building constraints; some may need waivers. The configuration of lot #5 must show buildable area. Wetlands approval will be needed from RIDEM. Sewers will be gravity fed. There are three alternatives for water. It must be a looped system – confident there will be no problems. Drainage will be a great concern. Traffic analysis will be required as Great Road is a narrow, winding road and there will be scrutiny from the Town for safety reasons.

Chairman Mancini asked if any other waivers would be required and Mr. Ranaldi stated that a waiver would be required for sidewalks. The buildable lot area for lot #5 needs to be determined and a legal interpretation on two lots is required – will confer with zoning official and Town solicitor. Chairman Mancini stated that there is a lot of work to be done, as there are a number of issues. Mr. Ranaldi stated that the developer is very willing to work with the Town to solve issues and both parties are responsive to each other's needs. Mr. Olean stated that according to the Subdivision Regulations,

sidewalks are required on one side. Mr. Mercurio agreed that a waiver on sidewalks is required.

Attorney Bill Landry, representing the developer, stated that if you step back for a minute, you would see that there is 1,000 feet of frontage on Great Road. They met with the Town's staff very early to identify the issues – Town said to stay away from Great Road – only one driveway. They designed a p-loop (double cul de sacs) with through lots (frontage on more than one road). The configurations showed shared driveways, which the town did not like. They have reached a reasonable compromise. Deed restrictions will prohibit driveways out to Great Road on Lots #2 and #15. Wetland buffers were not counted for Lot #5 – they are now. Chairman Mancini stated that the Board is upset that the developer hasn't settled on design – they don't think it's going to get better. Mr. Landry stated that engineer Len Bradley is here to answer questions and the developer is anxious to get to public informational hearing. Chairman Mancini stated that the Board might need a month extension to make a decision, as they do not like to make a decision immediately following the public informational meeting. Mr. Landry agreed a one-month extension was a reasonable request. Chairman Mancini stated that the Board does not like double cul de sacs and waivers and want to make it very clear that the Board takes special consideration for the TRC's concerns. The Board is confused with all the options that have been presented. The legal issues can be addressed, but more information is needed for next month's meeting. Mr. Hunt stated that

it is a better plan than what was presented last month. Chairman Mancini stated that preventing driveways off Great Road is a plus and the Board appreciates that.

Paul Bannon, a traffic engineer with RAB Engineering, stated that he completed a traffic assessment and there is safe and sufficient access on Great Road. He looked at traffic counts, accident information from police, and maximum (peak) hour of traffic. The road itself is straight going north, straight with a decline going south, and the center has a reverse curve with a steeper incline. He noted 600 vehicles per day with 70 in the morning hours. Great Road and Wilbur Road operate efficiently. He recommends centerline striping at the sharp curve. There is approximately 300' of sight distance. At the horizontal curve there is approximately 275-300 ' of sight distance. Minor clearing of dead trees and vines and grading will help. Ms. Wiegand asked if the clearing would be done on the Town's right of way or right on the property and Mr. Bannon replied that it would be on the Town's right of way and 10' of property will be cleared and maintained. Ms. Wiegand stated that there is an ordinance on corner lots restricting vegetation.

Mr. Olean made a motion to move to public informational hearing next month. Mr. Reilly seconded motion. Motion passed unanimously. Chairman Mancini stated that an abutter's list is needed.

c. Riverfront Major Subdivision AP 45 Lot 53 Master Plan Discussion/

DOSCO, Inc. Angell Road Approval

Mr. Ranaldi stated that this application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into five conventional single-family lots. The lot contains approximately 6.36 acres of land and is located in an RA-40 zone (40,000 sq. ft. – Residential Single Family.) The homes are to be serviced by a public cul de sac and public water and sewer. The Board has until October 8, 2005 to approve, approve with conditions, or deny. The TRC has reviewed the plans. The detention basin has been moved closer to Angell Road. There may be an issue with the buildable lot area of lot #5. Test pits were witnessed by the Town Engineer. Wetlands approval will be needed from RIDEM. A traffic safety analysis was submitted and the Town concludes that there is adequate sight distance. Public sewer is available and the water line can be looped on Rum Road, a paper street. A waiver is needed for the intersection that is proposed less than 150 feet from Rum Road. The TRC supports this waiver.

Mr. Olean asked about the 30,000 sq. ft. easement on lot #5. Joshua Rosen, of Commonwealth Engineering, differed on the definition of the buildable lot area. Mr. Ranaldi stated that an easement is a physical constraint.

Mr. Mercurio asked about the legal limitation to build near the reservoir and what regulations govern building near the reservoir. Ms. Wiegand stated that local regulations will control the project. The town does not have water wellhead protection guidelines or watershed areas. Some communities have very specific regulations to protect watershed areas. Mr. Mercurio stated that the proposed entrance is in the worst spot. During the winter, the road is very slippery. There is no drainage in road and the width of the road varies. Mr. Mercurio asked if this was Phase I of a multi-phase project and Ms. Wiegand responded that the applicant does not own the other parcel. Ms. Wiegand stated that the Town looked very carefully at the traffic report; according to the report, it works. The Town does not want Rum Road developed.

Mr. Lund stated that Angell Road is terrible, especially at Christmas time when the traffic is high. Water runs off at this point in the road and pools and freezes. Mr. Mercurio stated that he is against any new development that does not widen Angell Road and exacerbates the water problem.

Mr. Rosen stated that Smith Hill Center owns the remaining property and has no intention of developing the land. This parcel of 6.36 was subdivided from the larger parcel. The TRC is in favor of the waiver for the road intersection, as the Town does not want to abandon Rum Road and the access to town property. Sewers will be gravity fed and

the water line will be looped per the Water Commission's requirements. He will work with the Town Engineer on the drainage and detention basin. Test pit data has been completed. Mr. Ranaldi asked if there would be sidewalks and Mr. Rosen replied only on the south side. Mr. Mercurio asked about the ground elevation and Mr. Rosen stated that the cul de sac elevation is higher. There will be two catch basins going into the detention basin to mitigate water from development. Chairman Mancini asked if the engineer could look into mitigating the existing water problem on Angell Road and Mr. Rosen replied that he would look into it. Mr. Ranaldi stated that he spoke to Ms. Wiegand about putting a swale between Angell Road and property on Town right of way. Chairman Mancini stated that if developer is willing to fix existing problem it would be good for residents in the area. Mr. Rosen stated that drainage is at the Preliminary Plan level, but Mr. Ranaldi stated that the Board would feel better if it is a viable option.

Chairman Mancini stated that the Board has until October to make a decision. He suggested that Mr. Rosen speak to Ms. Wiegand and Mr. Ranaldi and present concrete information before the public hearing – look towards correcting the problem now. Mr. Olean stated that it is a legal issue about the easement on Lot #5.

Mr. Mercurio made a motion to continue matter to next meeting to answers concerns that the Board has. Mr. Lund seconded motion. Motion passed unanimously.

MAJOR LAND DEVELOPMENT

a. 14 Breakneck Hill Road AP25 Lot 168 Preliminary Plan Land Development -

Ralph Branca Breakneck Hill Road Public Hearing 8:15 p.m.

The list of abutters was read; no abutters were present. Mr. Ranaldi stated that this application is under the 2001 Subdivision Regulations and represents the commercial land development of one lot. The lot contains approximately 1.35 acres and is located in BL 0.5 zone (Limited Business). The proposed office building will be serviced by public water and private septic system. The Board has until August 18, 2005 to approve, approve with conditions, or deny. The TRC has reviewed the plans and have limited comments. There are no engineering concerns. The applicant must contact the Lincoln Water Commission for water service. Drainage will be onsite to handle development. Wetlands approval is needed from RIDEM and a Physical Alteration Permit (PAP) is required from RIDOT.

Chairman Mancini asked why the TRC did not make a recommendation. Mr. Ranaldi stated that the Board likes to hear public comment before making a decision. As the Town Planner, he would recommend approval with conditions. Chairman Mancini asked if there will any critical conditions, and Ms. Wiegand replied

that the PAP is critical; Mr. Ranaldi stated that a PAP is an ordinary permit required by the state and is obtainable.

Mr. Reilly asked about the site plan review – commercial building size, parking spaces – who looks at that? Mr. Ranaldi stated that Zoning looks at those issues and there will be an Area of Planning Concerns (APC) meeting on July 13, 2005 that will address those issues and also landscaping issues. The Zoning official will look at the parking requirements. Mr. Ranaldi stated that the applicant has appeared before the Town Council and the plans have had extensive review during the zone change. Mr. Mercurio asked about mixed commercial use – medical and offices. Mr. Ranaldi stated that parking is not distinguished between office and medical office, but the Town has stringent and excessive parking requirements.

Mr. Olean made a motion to close public hearing. Mr. Mercurio seconded motion. Motion passed unanimously.

Mr. Olean made a motion to recommend approval on the recommendation of the conditions presented in the TRC report. Ms. Hopkins seconded motion. Motion passed unanimously.

**b. Nafta Mills AP 34 Lot 14 Master Plan Land Development Review/
A.F. Homes Old River Road Approval**

Mr. John Hunt recused himself from this matter, as he is an abutter to the property.

Mr. Ranaldi stated that this application is under the 2005 Subdivision Regulations and represents the development of up to 44 condominium units. The lot contains approximately 7.66 acres of land and is located in a RG-7 zone (Residential General). The Board has until October 8, 2005 to approve, approve with conditions, or deny. The main entrance to the development will be off of Old River Road, close to Mussey Brook Road. This applicant has been before the Town Council for extensive review for a zone change. The applicant received Town Council approval for up to 44 units. There is an agreement with RIDEM for remediation from former use of site. The traffic report submitted indicates the volume of traffic for this development will not adversely impact the area and sight distance is adequate. A PAP from RIDOT is required. Public sewers are available. There is a new line from Old River Road on the westerly half of the property; an old flow metering station that connects to an older line must be removed. Sewer lines must be televised and evaluated and necessary repairs must be made. Water is available from the Lincoln Water Commission; the site may have old services that were not disconnected – the lines must be investigated, shown on plans and disconnected. Careful design of any drainage facilities must include mitigation of adverse impacts from increased water quantity as well as water quality and peak rate of flow. A Home Owner's Association (HOA) must maintain underground drainage.

The TRC recommends advancing to the public informational hearing.

Attorney John Mancini stated that the Board is familiar with this project as the applicant has been before the Board for a zone change.

The Board recommended approval to the Town Council for 44 age-restricted units. No waivers are required. The applicant is going before the Zoning Board for a Special Use Permit and asked the Board to consider making a recommendation to the Zoning Board for their August meeting.

Chairman Mancini stated that the Planning Board makes a recommendation to the Zoning Board.

Attorney Mancini stated that according to Section 6 of the Subdivision Regulations, an advisory recommendation from the Planning Board and Master Plan approval is needed before going to Zoning.

Chairman Mancini stated that a public informational meeting is needed before approval is granted for Master Plan. Attorney Mancini asked the Board to combine Master Plan and Preliminary Plan stages – after an exhaustive review on the project; it is a perfect situation to combines stages. Chairman Mancini asked if the applicant needed Preliminary Plan approval and Mr. Ranaldi replied that he does. Chairman Mancini stated that the Board does not usually makes a decision until the month following the public hearing. Ms. Wiegand

stated that more information is required at Preliminary Plan level on drainage. Mr. Ranaldi stated that Master Plan approval could serve as a recommendation to the Zoning Board.

Mr. Reilly stated that the curb cut was too close to DeSota Way, which is not a public road. The access way does not fall under the subdivision regulations and felt the safety of the three residents was an issue. He further stated that he is not in favor of the development at all and would prefer single-family homes to condos.

Mr. Mercurio made a motion to accept the TRC recommendation and move to public informational hearing for Master Plan. Ms. Hopkins seconded motion. Motion passed unanimously.

CORRESPONDENCE/MISCELLANEOUS

Mr. Olean made a motion to dispense with the reading of February 23, 2005 minutes. Mr. Hunt seconded motion. Motion passed unanimously.

Mr. Olean made a motion to accept the minutes as presented. Mr. Hunt seconded motion. Motion passed unanimously.

Mr. Olean made a motion to dispense with the reading of March 23, 2005 minutes. Mr. Mercurio seconded motion. Motion passed unanimously.

Mr. Olean made a motion to accept the minutes as presented. Mr. Lund seconded motion. Motion passed unanimously.

Mr. Olean made a motion to dispense with the reading of May 25, 2005 Executive Session minutes. Ms. Hopkins seconded motion. Motion passed unanimously.

Mr. Olean made a motion to accept the minutes as presented. Mr. Reilly seconded motion. Motion passed unanimously.

The Board will review May 25, 2005 regular meeting minutes at July meeting.

There being no further business to discuss, on a motion made by Mr. Lund and seconded by Mr. Reilly, it was unanimously voted to adjourn. Meeting adjourned at 9:20 p.m.

Respectfully submitted,

Margaret Weigner

Dear Honorable Members,

On June 14, 2005 at 3:00 pm the Technical Review Committee met to review the agenda items for the June 22, 2005 Planning Board meeting. In attendance were Al Ranaldi, Kim Wiegand, John MacQueen, Ann Marie Either, David Lund, and Smoky Olean. Below are the Committee's recommendations:

Major Subdivision Review

**a. Rivers Subdivision AP 23 Lots 30 and 119 Public
Informational Meeting**

**Estate of Anna M. Rivers Old River & Lower River Road 7:15
PM**

This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into six conventional single-family lots. The subject lot contains approximately 4.38 acres of land and is located in zoning district RS-12 (12,000 square feet – Residential Single Family). The proposed homes are to be serviced by public water and sewers. No new roadway is proposed. The

applicant is before the Planning Board for a public informational meeting.

On April 20, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by August 18, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above proposed development according to the Land Development and Subdivision Regulations standards and requirements and standard engineering. The plans reviewed are entitled "Master Plan Submission", Lincoln, RI, Major Subdivision, AP 23 Lots 30 & 119, Old River Road & Lower River Road, prepared for Estate of Anna Rivers c/o Brian Balsofiore, Executor by Thalmann Engineering Co., Inc. dated March 16, 2005. A report entitled "Master Plan – Development Impact Narrative" dated March 2005 prepared by the above for the above applicant was also received. A report on the sight distance was prepared for the proposed subdivision by RAB Professional Engineers, Inc. dated May 25, 2005. The application was reviewed and the following was noted.

Site Plan - Two site plans were submitted. One, an earlier version,

showed a short cul de sac with seven lots. The latest site plan shows six frontage lots. Public Works prefers frontage lots to a short cul de sac. The placement of the houses and driveways on the sites will be a concern for several reasons. The site has a significant amount of ledge visible. Any blasting or drilling could have an adverse impact on existing structures. Fractured rock could allow groundwater flow through the soil into existing basements. The placement and slope of the driveways on Lower River Road must be carefully located so as not to cause increased runoff on the properties below. According to the submitted sight distance report, the proposed driveway locations shown on the plans will have adequate stopping sight distances in accordance with the appropriate criteria. As noted in the report, some clearing along the frontage will be necessary to achieve this view.

Utilities - A note on the plan states that the applicant proposes public water and sewers connections via existing lines in Old River Road and Lower River Road. The applicant must contact the Lincoln Water Commission (LWC) regarding service to the development. The LWC must certify that water service is available. The LWC's approval must be a condition of any approval for subdivision. The applicant must apply to the sewer supervisor for availability of public sanitary sewers to the project. These two requirements must be submitted to the Town before Master Plan approval is granted. The developer must apply to Narragansett Bay Commission for indirect discharge permits.

Traffic - Since the driveways are proposed onto Old River Road, a State highway, the developer must obtain a Physical Alteration Permit

from RI Department of Transportation for the proposed project. This must be a condition of any approval. The report states that a traffic impact study will be prepared.

Drainage - The site drains generally from Old River Road south and easterly towards Lower River Road. Several properties on the east side, lower side of the road have concerns with storm water. Lower River Road has an existing problem with drainage flowing from the west side of the road and the road itself. There is no drainage system, open or closed, to collect runoff until near the intersection of Lower River Road and Old River Road. In order to prevent any adverse impact to the existing properties on eastern side of Lower River Road, the Engineering Division recommends that the subdivision approval must specify that the existing drainage problem be alleviated. A condition of any approval should also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation, as determined by a certified soil evaluator, as groundwater flow discharged to the surface would cause problems to the existing roads and properties.

Wetlands - The subdivision will require approval from RIDEM Wetlands. The plan and the report describe the wetlands on the site. The information presented on the site plan indicates that there is adequate buildable area for each lot. Documentation for this assessment was submitted as a letter from RIDEM verifying the delineation performed by Natural Resources Services, Inc.

**b. Meadow View Subdivision AP 29 Lot 3 Master Plan Discussion /
Meridian Real Estate Services Great Road Approval**

This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into fifteen conventional single-family lots. The subject lot contains approximately 13.0 acres of land and is located in zoning district RS-20 (20,000 square feet – Residential Single Family). The proposed homes are to be serviced by public water and sewers.

On April 13, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by August 11, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division has reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations master plan submission standards and requirements as well as standard engineering practices. The submission includes a set of six sheets entitled “Master Plan Submission, Meadow View”, located on Great Road, Lincoln, Rhode Island, AP 29 Lot 3, prepared for Meridian Real Estate

Services, Inc. by DiPrete Engineering Associates, Inc., dated November 2004, latest revision date 2/18/05. A document entitled “Master Plan Narrative and Supporting Material” by the same engineers dated 2/14/05 was also received. The submission was reviewed and the following was noted.

Site design - A number of the lots have building constraints. The developer will need to document the areas of 15% or greater slopes, wetlands, easements and/or other physical constraints that hinder building, taking into account any overlap and then show the minimum buildable area remaining for each lot. The Site Plan must take into account the wetlands in determining the buildable areas. If some lots require waivers, they must be identified and waivers must be discussed with the Planning Board. The Technical Review Committee also had some reservation about the specific locations of the driveways proposed to be located in the cul-de-sacs. Specific consideration needs to be given on the driveway locations as they relate to the placement of snow during the winter. Numerous driveways placed at the end of cul-de-sac do not provide adequate space for snow placement during the winter. This needs to be addressed.

Wetlands - The wetlands have been flagged by Natural Resources Services, according to the above mentioned narrative report. RIDEM Wetlands approval will be required for preliminary approval of the subdivision.

Utilities - The subdivision is proposed to be connected to public sanitary sewers and water. Although it is not specified, it is assumed

that the sanitary sewers system would be gravity. The Town will not accept a pumping station at this location. The gravity sewer in Great Road, where the development would presumably connect, flows to the Great Road South pumping station. No new water services can be dead-ended. There are several alternatives for looping the public water line that have been received by the Lincoln Water Commission (LWC). Water service requires design approval from the LWC.

Drainage - Proposed drainage is shown conceptually on the master plans with a proposed location for a detention basin. The detention basin must be located on one lot only. The owner of that lot will be responsible for the maintenance of the basin. The Town will not accept ownership of any additional drainage basins. The actual size of the basin will depend on the depth to seasonal high groundwater. The bottom of the detention basin must be installed above that elevation. The narrative report states that a seasonal high groundwater elevation will be determined by a certified soil evaluator. It also states that the subdivision will include the condition that any finished floor or basement must be at least one foot above that elevation. This is appropriate. Great Road has almost no street drainage infrastructure. Some storm water runoff from Great Road discharges along the road onto the property and must be allowed to continue to flow. Storm water flows overland from the site to a stream on the eastern side of the property and also to an isolated wetland in the southern most corner of the property. Increased flow through the wetlands could impact abutting property owners and Great Road. The impact from the detention basin on the wetlands must be carefully

considered. Design of the drainage will be critical.

Traffic - Great Road is a narrow and winding road and will require analysis of traffic safety issues, particularly sight distance. The development requires a report on the impact of traffic on the road and at the intersection to see if improvements are needed. The street lighting needs to be reviewed for safety concerns.

If the applicant can successfully address the above noted concerns, the TRC recommends that this project advance to a public informational meeting for public review.

c. Riverfront Major Subdivision AP 45 Lot 53 Master Plan Discussion /

DOSCO Inc. Angell Road Approval

This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into five conventional single-family lots. The subject lot contains approximately 6.36 acres of land and is located in zoning district RA-40 (40,000 square feet – Residential Single Family). The proposed homes are to be serviced by a public cul-de-sac road and public water and sewer. This project is in front of the Planning Board for a Master Plan discussion and review.

On June 10, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within

such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by October 8, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed development according to the 2001 Land Development and Subdivision Regulation's Master Plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled "Master Plan Submission for Riverfront Major Subdivision", Portion of AP 45, Portion of Lot 53, in Lincoln, Rhode Island, prepared for the applicant Dosco Inc. by Commonwealth Engineers & Consultants, Inc., dated June 2005.

Site Plan - The location of the detention basin is a concern. To capture drainage and direct it to the basin would go significantly against grade. It would be preferable to locate the detention basin off the entrance road immediately off Angell Road. Wells and septic systems within 200 feet must be shown or a note that there are none within 200 feet stated on the plan. The buildable area for each lot must be calculated. The buildable area is that area remaining after wetlands, steep slopes and other physical constraints, such as easements, are excluded. If a lot does not meet the minimum buildable lot area, the applicant should discuss a waiver with the Planning Board. A waiver is required for the proposed road to be less

than 150 feet from the unimproved Rum Road, a paper street. This should be discussed with the Planning Board.

Groundwater - A certified soil evaluator estimated the seasonal high ground water elevations spread out across five locations on the property. There is a note on the plan specifying that finished floors or basements must be set above the seasonal high ground water elevation. The Town Engineer witnessed the excavation of test pits. The applicant previously submitted Site Evaluation Forms for the groundwater and soil performed by a certified soil evaluator.

Wetlands - The applicant previously submitted a letter from Mason & Associates, Inc. a wetlands biologist. A copy of the Verification of Wetlands from RIDEM that has been received should be noted on the plans. The proposed subdivision must obtain a RIDEM Wetlands Preliminary Determination permit as a condition of approval for subdivision.

Traffic - The engineer submitted a revised report entitled "Safety Analysis", dated October 26, 2004, revised February 23, 2005. Based on the findings in this report, the Engineering Division has concluded that adequate sight distance is available for the proposed roadway.

Utilities - The plans shows public water and sewer connections to the proposed lots. There is an existing letter in the file dated (3/10/05), from the sewer supervisor stating that sewers are available to the property. At preliminary plan level, the service laterals connections from the houses to the main sewer line will need to be shown correctly. The Lincoln Water Commission (LWC) must approve the water line design. The water line is looped, a requirement for a public

water system per the LWC. Other LWC standards for design must be carefully reviewed; for instance, the requirement of keeping the water line five feet off the curb.

If the applicant can successfully address the above noted concerns, the TRC recommends that this project advance to a public informational meeting for public review.

Major Land Development Review

a. 14 Breakneck Hill Road AP 25 Lot 168 Preliminary Plan Land Development

Ralph Branca Breakneck Hill Road Public Hearing – 8:15 PM

This application is under the 2001 Subdivision Regulations and represents the commercial land development of one lot. The subject lot contains approximately 1.35 acres of land and is located in zoning district BL 0.5 (Limited Business). The proposed office building is to be serviced by public water and private septic system. The building will be serviced by a private driveway. No new roadway is proposed. On April 20, 2005, the Preliminary Land Development Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to

the requirements of Section 8. A decision on the Preliminary Land Development Plan review must be made by August 18, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above proposed development according to the Land Development and Subdivision Regulations preliminary land development submission standards and requirements and standard engineering practices. The submission includes a set of plans entitled "Proposed Office Building, AP 25 Lots 57, 58, 71 and 168, Breakneck Hill, Lincoln, Rhode Island, prepared for the applicant Ralph Branca by Bryant Associates, Inc., dated 4/13/05. Included as well in the submission is a Drainage Report prepared by the above consultants for RJB Properties, dated May 2005. The application was reviewed and the following was noted.

Site Plan - There are no engineering concerns with the site plan.

Utilities - A note on the plan states that the applicant proposes public water connections to the existing line in Breakneck Hill Road. The applicant must contact the Lincoln Water Commission (LWC) regarding service to the development. The LWC must certify that water service is available. The LWC's approval must be a condition of approval for development. The applicant proposes to install a private septic system; therefore, the applicant must apply to RIDEM for ISDS approval.

Drainage - The site drains generally north away from Breakneck Hill Road. It is proposed to mitigate peak runoff in an onsite detention basin as well as route existing drainage around the proposed

development. The applicant will be responsible for the operation and maintenance of the basin and the storm drainage system on the site. The applicant will need to get an easement to drain around the proposed site and maintain the proposed drainage swale.

Wetlands - The subdivision will require approval from RIDEM Wetlands.

Traffic - The development requires a Physical Alteration Permit from RIDOT as well as an agreement with the abutting property owner, the YMCA.

**b. Nafta Mills AP 34 Lot 34 Master Plan Land Development Review /
A.F. Homes Old River Road Approval**

This application is under the 2001 Subdivision Regulations and represents the residential development of up to 44 condominium units. The subject lot contains approximately 7.66 acres of land and is located in zoning district RG-7 (Residential General). The proposed condominium project is to be serviced by public water and private septic system. The buildings will be serviced by a private driveway. No new roadway is proposed.

On June 10, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or

conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by October 8, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division has reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations standards and requirements and standard engineering practices. The plans reviewed were a set of two sheets each entitled "Nafta Mills, AP 34 Lot 14", Lincoln, Rhode Island prepared for A.F. Homes by Cataldo Associates, Inc., issue date February 22, 2005. A letter preliminarily confirming that public water supply is available has been received by the Engineering Division. A report entitled "Traffic Impact Study for the Proposed Nafta Mills Condominium Development", prepared for A.F. Homes, prepared by Cataldo Associates, Inc. November 15, 2004, revised April 26, 2005.

Environmental - The site has a Settlement Agreement approved by RIDEM to remediate contamination left by the former use as a mill that allows the reuse as an industrial or commercial site if the cleanup is completed in accordance with approved plans. The site must be cleaned up to the levels approved for residential use with a new Settlement Agreement with RIDEM. The developer has stated that they will develop a new work plan. Development of the site will require approval from RIDEM Wetlands.

Traffic - Access to the site is from a State highway, Old River Road. The project will require a Physical Alteration Permit from RIDOT for

access to the property. The traffic report was reviewed. According to the report, the volume of traffic for this type of development will not adversely impact the proposed intersection with Old River Road or the adjacent, critical intersections. The report covered the traffic on Mussey Brook Road. According to a license plate survey, a significant amount of peak hour traffic cutting through is school buses. The sight distance appears to be adequate.

Sanitary Sewers - According to the Sewer Supervisor, there is a relatively new line from Old River Road on the westerly half of the property to an old flow metering station that connects to an older sewer line that discharges to sewers in New River Road and ultimately to the Narragansett Bay Commission's sewer interceptor. There is capacity in the lines; however, with any proposed new construction at the site, the metering station must be removed. Also, the line must be televised, evaluated and repairs made to it as necessary in order to ensure its proper functioning.

Water - The Lincoln Water Commission has been contacted. A letter from the superintendent states that public water is available, subject to final project approval. According to the superintendent of water, the site may have old services that were not disconnected. These must be investigated. All existing lines must be correctly shown on the plans and ensured that they are properly disconnected.

Drainage - The site drains to Mussey Brook, which crosses through the residential neighborhood to the south. This area has experienced localized flooding problems. Careful design of any drainage facilities must include mitigation of adverse impacts from increased water

quantity, as well as water quality and peak rate of flow. Location of any existing wells and/or septic systems within 200 feet of the property must be shown on the plan.

If the applicant can successfully address the above noted concerns, the TRC recommends that this project advance to a public informational meeting for public review.

July Zoning Applications

John & Elizabeth A'Vant, 29 Mark Drive, Lincoln, RI – Dimensional Variance for side yard setback for the construction of an addition.

AP 19, Lot 80

Zoned: RS 20

Members of the Technical Review Committee visited the site and reviewed the submitted site plan and application. Based on the submitted plans, the proposed addition, consisting of a dining room, study/office, and master bedroom, will be located on the right hand side of the property. The Committee recommends Denial of this dimensional variance. The TRC feels that this plan does not represents the least relief required, will alter the general character of the surrounding area and impair the intent and purpose of the Zoning Ordinance and the Comprehensive Plan.

Daniel Zilka, 89 Industrial Circle, Lincoln, RI/3J Corporation, 90 Industrial Circle, Lincoln, RI – Dimensional Variance for front yard

setback for the operation of a prefabricated historic diner/small restaurant on property located at 82 Industrial Circle, Lincoln, RI.

AP 2, Lot 82

Zoned: MG 05

Members of the Technical Review Committee visited the site and reviewed the submitted site plan and application. Based on the submitted site plan, the proposed building will be located within the vacant paved front yard setback. The Committee recommends Denial of this dimensional variance. The TRC feels that the proposed site plan and application does not meet any of the standards for relief as presented in the Zoning Ordinance. More specifically, the TRC feels that the site plan and application does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The TRC also feels that this application will result in greater financial gain for the applicant and the property owner by providing an additional rental income to the property owner. The TRC feels that the proposed building and associated parking will alter the general character of the surrounding area and impair the intent and purpose of the Zoning Ordinance and the Comprehensive Plan by substantially increasing the risk of traffic accidents in the area.

Henry Leeming, Jr., 63 Lakeview Road, Lincoln, RI – Dimensional Variance for side yard setback for the construction of an addition.

AP 8, Lot 49

Zoned: RS 12

Members of the Technical Review Committee visited the site and

reviewed the submitted site plan and application. Based on the submitted plans, the proposed addition, consisting of a garage, breezeway and family room above the garage, will be located on the right hand side of the property. The Committee recommends Denial of this dimensional variance. The TRC feels that this plan does not represents the least relief required, will alter the general character of the surrounding area and impair the intent and purpose of the Zoning Ordinance and the Comprehensive

Tiffany Plaza Limited, c/o Richard Kirby, Esquire, 72 Pine Street, Providence, RI – Request for extension of Decision for a Dimensional Variance granted May 4, 2004 for property located on Reservoir Avenue, Lincoln, RI.

AP 6, Lot 442 Zoned: RS 20

Members of the Technical Review Committee visited the site and reviewed the submitted application. The Committee recommends Approval of this request for an extension of the Zoning Board's decision rendered on May 4, 2004 of an application for Dimensional Variance for property located on Reservoir Avenue, Lincoln, RI.

**Jacob & Nina Litmanovich, 52 Blodgett Avenue, Pawtucket, RI/
Dimitry & Elena Litmanovich, 20 Linfield Circle, Lincoln, RI – Dimensional Variance for side yard setback for the construction of an addition at 20 Linfield Circle, Lincoln, RI.**

AP 45, Lot 205 Zoned: RS 20

Members of the Technical Review Committee visited the site and reviewed the submitted site plan and application. Based on the submitted plans, the proposed addition, consisting of an extension of the existing garage will be located in the front of the property. The Committee recommends Denial of this dimensional variance. The TRC feels that this plan does not represents the least relief required, will alter the general character of the surrounding area and impair the intent and purpose of the Zoning Ordinance and the Comprehensive. The applicant has significant room in the back yard area to accommodate their needs.

Ferreira Concrete, 7 Tallman Avenue, East Providence, RI/Liquid Blue, 1 Crownmark Drive, Lincoln, RI – Dimensional Variance for rear yard setback for the construction of an addition.

AP 28, Lot 67 Zoned: MG- 0.5

Members of the Technical Review Committee visited the site and reviewed the submitted site plan and application. Based on the submitted plans, the proposed commercial addition will be located on the side of the existing building. The TRC feels that requested dimensional variance is appropriate but the application does not address some critical issues. The TRC identified an issue with the existing loading dock. Will this loading dock still be used after the new addition is constructed? If so, how will delivery trucks safety access it. Next, does the existing parking meeting the parking

requirements that will be needed for the new addition? If the applicant can successful address these issues, the TRC recommends Approval of the dimensional application.